

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
District Court File No. 18-150 (DWF/HB)

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	RESPONSE OF THE UNITED
)	STATES TO DEFENDANT’S
vs.)	MOTION FOR DISCOVERY
)	AND INSPECTION
)	
MICHAEL HARI,)	
)	
Defendant.)	

The United States of America, through its attorneys, Erica H. MacDonald, United States Attorney for the District of Minnesota, and Assistant United States Attorneys John Docherty and Julie E. Allyn respectfully submits its Response to the Defendant’s Motion for Discovery and Inspection (CM/ECF Docket No. 84).

Defendant’s motion more or less tracks Rule 16 of the Federal Rules of Criminal Procedure. The government is in compliance with Rule 16, and will remain in compliance until the end of the trial in this case. The government has disclosed to the defendant all materials required to be disclosed under that Rule, plus substantial additional material whose disclosure was not strictly required by the Rule.

The government will probably call as witnesses at trial a number of forensic scientists. Reports of those scientists have been disclosed. Curriculum vitae of scientists who will testify will be produced as soon as a decision is made to have that particular scientist testify, and in any event no later than four weeks before trial.

The government intends to call as a witness at the motions hearing only FBI Special Agent Joel Smith. The government has already disclosed all of Special Agent Smith's prior, official reports concerning the investigation of this case. The government, in advance of the hearing, will review the discovery once again for any reports by Special Agent Smith that might have been inadvertently missed, and will also review informal communications with Special Agent Smith, such as emails, for any material that should be disclosed under Fed. R. Crim. P. 26.2.

Dated: August 1, 2019

Respectfully Submitted,

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s/John Docherty

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